IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.35 OF 2007

IN

WRIT PETITION NO.1669 OF 2006

Mr Suresh Anant Naik ...Appellant

v/s

Mr R.K. Chari ...Respondent

Ms Rita Joshi i/b Mr A.D. Shetty for Appellant.

None for Respondent.

CORAM : D.K. DESHMUKH AND J.H. BHATIA JJ.

DATE : 2ND JULY 2007.

P.C. :-

1. By this appeal, the appellant challenges order dated 28th August 2006 passed by the learned Single Judge in writ petition No.1669 of 2006 declining to entertain the petition filed under Article 226 of the Constitution of India. The Court declined to entertain the petition on finding that the appellant has suppressed information from the Court while submitting his complaint and while giving the calculations of the amounts that he has been receiving. The learned counsel appearing for appellant is not able to point out that the finding recorded by the Court that the appellant had been paid arrears of Rs.54,820/- upto 30th December 1999 by cheque but this was not disclosed in the calculations which were filed, is in any way wrong. The appellant had filed calculations showing the amounts received by him upto the year 2002. If the Court finds that the petitioner is not truthful to the Court and is guilty of suppressing the relevant facts, in our opinion, the Court was perfectly justified in not entertaining the petition filed under Article 226 of the Constitution of India. We see no reason to entertain the appeal.

Appeal is disposed off.

. Parties to act on the copy of this order duly

authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.